MONTANA LEGISLATIVE HISTORY

Chapter 340 1974

Bill H 974 S _____ Original bill & history ___C

H. Committee on Business & Industry			S. Committee on Business & Industry		
Hearing Date(s)	2-4	___C	Hearing Date(s)	2-27	___C
	2-11	___C		3-1	___C
	2-15	___C		_____	___C
	_____	___C		_____	___C
Date Out	_____	___C	DATE OUT	3-1	

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

BUSINESS AND INDUSTRY COMMITTEE

1974 Legislature

Bill No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
HB 799	Provide for the depreciation of machinery and equipment over a 10 year period at the rate of 10% per year.	1/21/74	Swanberg	2/6/74	DO PASS	3/1/74
SB 536	Permit incorporation of firms engaged in the practice of public accounting.	1/21/74	Bennett	3/1/74	BE CONCURRED IN	3/1/74
HB 888	Rate of interest that may be agreed to be paid by profit corporations and businesses operating for profit.	1/22/74	Swanberg	2/6/74	AS SO AMENDED DO PASS	2/8/74
HB 973	Change the required number of inhabitants necessary to receive 5 retail liquor licenses incorporated cities of over 3,000 inhabitants.	1/23/74	Roberts	2/4/74	DO NOT PASS	2/4/74
HB 974	Relating to the number of retail liquor licenses authorized to be issued.	1/23/74	Roberts	2/4/74	DO PASS	2/15/74
HB 1073	Permit the use of trust indentures for areas of real estate of not more than 40 acres.	1/23/74	Greely	2/6/74	AS SO AMENDED DO PASS	2/8/74

Rod Hanson, Montana Associated Utilities, spoke in opposition (see attachment).

HB 973 - Rep Roberts, chief sponsor, and Phil Strope, Innkeepers Association, both spoke in favor of this bill. Tom Mulholland, Liquor Division, Department of Revenue, was on hand to answer any technical questions that might arise. Bob Durkee, Montana Tavern Association, rose in opposition.

HB 974 - Rep Roberts, chief sponsor, spoke in favor of this bill. Tom Mulholland spoke in opposition, citing the cost of figuring out the population within the five-mile radius.

SJR 50 - Rep Lien made a motion to DO PASS. Rep Quilici seconded and the motion carried.

HB 173 - Rep Kessner made a motion to DO NOT PASS. Rep Swanberg seconded and the motion carried with Reps Aageson and Regan voting no.

The meeting adjourned at 1:05 p.m.

Sandy Mehrens, Chairman

mje

HB 974 - Rep Aageson made a motion to DO PASS. He then withdrew his motion. Rep Laas moved that the bill be held for further study. Rep Lien seconded and the motion carried.

HB 1064 - Rep Kessner made a motion to DO NOT PASS. The motion carried with Rep Harper voting no and Reps Driscoll, Quilici and Regan abstaining.

HB 1065 - Rep Aageson made a motion to DO NOT PASS. Rep Driscoll made a substitute motion to DO PASS. The motion failed with all present voting no. The DO NOT PASS motion was then voted on and carried.

The meeting adjourned at 12:15 p.m.

Sandy Mehrens, Chairman

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BUSINESS AND INDUSTRY COMMITTEE

February 15, 1974

The Business and Industry Committee meeting was called to order this date with Chairman Mehrens presiding. All members were present except Reps Harper and Mercer.

HB 1062 - Rep Towe, chief sponsor, spoke in favor of this bill and submitted an amendment (see attachment). Ernest Post, Montana State AFL-CIO, rose in favor of the bill and submitted supporting documents. Burt C. Jensen spoke in opposition.

HB 887 - Rep Quilici moved to adopt the amendments. Rep Lockrem seconded and the motion carried. Rep Lien made a motion to DO PASS AS SO AMENDED. Rep Aageson seconded and the motion passed.

HB 1015 - Rep Rolfe made a motion to DO PASS. Rep Laas seconded the motion and it carried with Rep Regan abstaining.

Rep Lockrem moved to reconsider action on HB 1015 and then moved to adopt the amendments. The motion passed with Rep Regan abstaining. Rep Lockrem then made a motion to DO PASS AS SO AMENDED. Rep Quilici seconded and the motion carried with Rep Regan abstaining.

HB 972 - Rep Kessner moved to DO NOT PASS. Rep Aageson seconded and the motion carried with Rep Regan voting no.

HB 974 - Rep Laas moved to DO NOT PASS. Rep Kessner seconded and the motion failed with Reps Lien, Driscoll, Hageman, Lockrem, Regan, Rolfe, Swanberg and Aageson voting no. Rep Lockrem then made a motion that HB 974 DO PASS. The motion carried with Reps Kessner, Manuel, Olson, Quilici, Selstad and Laas voting no.

HB 1062 - Rep Lockrem moved to adopt the amendments. The motion passed with Reps Kessner and Selstad voting no. Rep Lien made a motion to DO PASS AS SO AMENDED. Rep Quilici seconded and the motion failed with Reps Kessner, Lockrem, Manuel, Olson, Selstad, Swanberg, Laas, Aageson and Driscoll voting no. Rep Lockrem made a motion to DO NOT PASS. The motion carried.

Rep Kessner made a motion to reconsider HB 1062 on Monday, February 18. Rep Hageman seconded and the motion passed with Rep Lockrem voting no.

The meeting adjourned at 11:16 a.m.

Sandy Mehrens, Chairman

mje

SECOND-HALF 43rd LEGISLATIVE SESSION

COMMITTEE ON BUSINESS AND INDUSTRY

HOUSE BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
HB 629	2-4	2-15	2-15						2-15
HB 635	2-13	2-22	2-22					2-22	
HB 663	1-31	2-11	2-11				2-11		
HB 677	2-1	2-13-25	2-25						2-25
HB 693	2-11	3-1 (25) 2-18-20-	3-1						as amended 3-1
HB 702	1-26	2-22	2-22				2-22		
HB 716	2-13	2-13	2-13				2-13		
HB 780	2-13	2-13	2-13				2-13		
HB 786	2-15-	2-27	2-27				2-27		
HB 793	2-14-	2-25	2-25				2-25		
HB 817	2-2-20	2-20	2-20						
HB 840	2-14-	2-14-3-1	3-1				3-1		
HB 880	2-9	2-15-20-22	2-22					2-22	
HB 888	2-14	2-8-20-22	2-22						2-22
HB 920	2-16	3-1	3-1				3-1		
HB 960	2-15	Rereferred to Taxation on Second Reading					2-15		
HB 974	2-21	2-27, 3-1	3-1				3-1		

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE

February 27, 1974

The twentieth meeting of the Business and Industry Committee was called to order by Chairman DeWolfe on the above date in Room 415 of the State Capitol Building at 11 a.m.

ROLL CALL: All members were present except Senator Broeder and Senator Drake.

CONSIDERATION OF HOUSE BILL 1082: To provide a graduated scale for store license fees paid by retail chain stores.

Representative Hager, author, suggested amendments in support of his bill. Chris Johansen, Field Supervisor, Tom Kargacin, Town Pump, Inc., Representative Gysler, Bob Lake, Peavey Company, Ray Havig, Representative Towe, George Lackman, Department of Agriculture appeared in support of the bill. Bill Groff, Department of Revenue, stated that he was neither for or against the bill but maintained that state funds would have to be appropriated for auditing costs and that amendments to the bill were needed in view of the auditing.

CONSIDERATION OF HOUSE BILL 786: To allow the publication or display of advertisements concerning liquor if permitted by the regulations of the Department of Revenue.

Representative Swanberg appeared in support of the bill stating that 2 sections in the code were deleted and inserting Department of Revenue wherever needed to adjust the quota system.

CONSIDERATION OF HOUSE BILL 1015: To provide that the liquor division of the Department of Revenue may use the population estimates of the Montana Department of Intergovernmental relations, planning and economic development division as a basis for determining the quota for liquor licenses.

CONSIDERATION OF HOUSE BILL 974: Relating to the number of retail liquor licenses authorized to be issued.

Business and Industry Meeting February 27, 1974

Representative Roberts, author, appeared in support of the bill stating that there was a need for a better regulation of liquor licensing in the state of Montana. Liquor licenses are given to communities on basis of only those living within five mile area and adjustment of quota system is needed in this area. Questions were asked by the committee to who can buy and sell liquor licenses. Bob Helding, St. Regis Paper Company testified in support of HB 974. Phil Strope, Montana Hotel and Tavern Association appeared in support of HB 1015. Dick Draper, Intergovernmental Relations stated he was neither for or against the companion bills, but pointed out that new monies would have to be appropriated. Tom Mulholland, License Bureau Chief, Department of Revenue also appeared. Bob Durkee, Montana Tavern Assoc. and Curt Lees, Yellowstone Tavern Association appeared in support of HB 1015.

ADJOURN: There being no further business, the committee adjourned at 12:00 p.m.

SENATOR PERCY DeWOLFE

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE

March 1, 1974

The twenty first meeting of the Business and Industry Committee was called to order by Chairman DeWolfe on the above date in Room 415 of the State Capitol Building at 11 a.m.

ROLL CALL: All members were present with the exception of Senator Broeder who was excused.

The motion was made that a vote could be taken by proxy vote when unable to be present by Senator Rosell and seconded by Senator Hazelbaker. Motion carried.

CONSIDERATION OF HOUSE BILL 840: To remove archaic language no longer applicable regarding liquor in hotels.

Phil Strope, Montana Hotels and Taverns Association, appeared in support of the bill.

DISPOSITION OF HOUSE BILL 840:

Senator Lowe moved that the bill BE CONCURRED IN and Senator Hazelbaker seconded the motion. Motion carried.

CONSIDERATION OF HOUSE BILL 974: Relating to the number of retail liquor licenses authorized to be issued.

DISPOSITION OF HOUSE BILL 974:

The motion was made by Senator DeVine that the bill BE CONCURRED IN and Senator Lowe seconded the motion. Motion carried.

CONSIDERATION OF HOUSE BILL 1015: To provide that the liquor division of the Department of Revenue may use the population estimates of the Montana Department of Intergovernmental Relations, Planning and Economic Development Division as a basis for determining the quota for liquor licenses.

DISPOSITION OF HOUSE BILL 1015:

Senator Lowe moved that the bill BE NOT CONCURRED IN and Senator DeVine seconded the motion. Motion carried.

shall be for a period of four (4) years commencing from the expiration of the first term. Said commissioners when elected will qualify at the time and in the manner provided by law for other state officers, and shall take office on the first Monday of January, next after their election. Each of said members of said board so elected shall serve until his successor is elected and qualified. A chairman shall be selected by the commission from its membership at the first meeting of each year after a general election.

Any vacancy occurring in the board shall be filled by appointment by the governor, and such appointee shall hold office until the next general election, and until his successor is elected and qualified. At the biennial election following the occurrence of any vacancy in the board, there shall be elected one (1) member to fill out the unexpired term for which such vacancy exists."

Section 2. There is a new section to be numbered 70-101.1, R.C.M. 1947, which reads as follows:

70-101.1. **Public service commission districts.** In this state there are five (5) public service commission districts, with one (1) commissioner elected from each district distributed as follows:

First district: Blaine, Chouteau, Daniels, Dawson, Fergus, Garfield, Glacier, Golden Valley, Hill, Liberty, McCone, Musselshell, Petroleum, Phillips, Pondera, Prairie, Richland, Roosevelt, Sheridan, Toole, Valley, and Wibaux counties.

Second district: Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Rosebud, Stillwater, Sweetgrass, Treasure, and Yellowstone counties.

Third district: Broadwater, Cascade, Jefferson, Judith Basin, Lewis and Clark, Meagher, Teton, and Wheatland counties.

Fourth district: Beaverhead, Deer Lodge, Gallatin, Granite, Madison, Park, Powell, Ravalli, and Silver Bow counties.

Fifth district: Flathead, Lake, Lincoln, Mineral, Missoula, and Sanders counties.

Section 3. Sections 70-102 and 72-101, R.C.M. 1947, are repealed.

Section 4. **Transition — incumbent commissioners — election.** This act shall not affect the current terms of commissioners. The incumbent commissioner whose present term of office extends beyond January 1, 1975, shall, within fifteen (15) days after the effective date of this act, designate the district he will serve by written declaration filed with the secretary of state and he shall serve as commissioner from such designated district to the expiration of such term. A failure by such incumbent commissioner to so designate his district shall subject such commission office to be open to election. The other two incumbent commissioners shall continue to serve to the expiration of such terms without designation of district, provided however, that there shall be elected in the primary and general elections of 1974, four (4) commissioners from the four (4) commission districts open for election.

Section 5. This act shall be effective upon its passage and approval.

Approved March 28, 1974

CHAPTER NO. 340

AN ACT TO AMEND SECTION 4-403, R.C.M. 1947, RELATING TO THE NUMBER OF RETAIL LIQUOR LICENSES AUTHORIZED TO BE ISSUED; AND PROVIDING AN EFFECTIVE DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 4-403, R.C.M. 1947, is amended to read as follows:

"4-403. **Issuance of retail liquor licenses — limit on number of licenses — retail wine licenses — lapse and cancellation.** (1) Except as otherwise provided by law, a license to sell liquor at retail in accordance with the provisions of this act and the regulations of the Montana liquor control board, may be issued to any person who shall be approved by a majority of the board as a fit and proper person to sell liquor; provided, that the number of retail liquor licenses which the board may issue shall be determined as follows:

(a) The number of retail liquor licenses that the board may issue for premises situated within incorporated cities and incorporated towns and within a distance of five (5) miles from the corporate limits of such cities and towns shall be determined on the basis of population as shown by the most recent official United States census authorized by Congress, to wit: In incorporated towns of five hundred (500) inhabitants or less and within a distance of five (5) miles from the corporate limits of such towns, not more than two (2) retail liquor licenses; in incorporated cities or incorporated towns of more than five hundred (500) inhabitants and not over three thousand (3000) inhabitants and within a distance of five (5) miles from the corporate limits of such cities and towns, three (3) retail liquor licenses for the first one thousand (1000) inhabitants and one (1) retail liquor license for each additional one thousand (1000) inhabitants; in incorporated cities of over three thousand (3000) inhabitants and within a distance of five (5) miles from the corporate limits thereof, five (5) retail liquor licenses for the first three thousand (3000) inhabitants and one (1) retail liquor license for each additional one thousand five hundred (1500) inhabitants. The number of the inhabitants in such cities and towns, *and in addition* the number of inhabitants residing within a distance of five (5) miles from the corporate limits thereof, shall govern the number of retail liquor licenses that may be issued for use within such cities and towns and within a distance of five (5) miles from the corporate limits thereof; provided, however, that where two (2) or more incorporated municipalities are situated within a distance of five (5) miles from each other, the total number of retail liquor licenses that may be issued for use in both of such municipalities and within a distance of five (5) miles from their respective corporate limits, shall be determined on the basis of the combined population of both of such municipalities and shall not exceed the foregoing limitations. The said distance of five (5) miles from the corporate limits of any incorporated city or incorporated town shall be measured in a straight line from the nearest entrance of the premises proposed for licensing to the nearest corporate boundary of such city or town. Retail liquor licenses of issue on the date of the passage and approval of this act and which are in excess of the foregoing limitations shall be renewable, but no new licenses shall be issued in violation of such limitations; provided that such limitations shall not prevent the issu-

ance of a nontransferable and nonassignable (as to ownership only) retail liquor license to any post of a nationally chartered veterans' organization or any lodge of a recognized national fraternal organization, if such veterans' or fraternal organization has been in existence for a period of five (5) years or more prior to January 1, 1949. No incorporated city or incorporated town may by ordinance restrict the number of licenses that the board may issue; provided that no retail license may be issued by the board for any premises situated within any zone of a city or town wherein the sale of liquor is prohibited by ordinance, a certified copy of which has been filed with the board. The board shall have discretion to deny the issuance of a retail license if it shall determine that the premises proposed for licensing are off regular police beats and cannot be properly policed by local authorities.

(b) The number of retail liquor licenses that the board may issue for use at premises situated outside of any incorporated city or incorporated town and outside of the area within a distance of five (5) miles from the corporate limits thereof, shall be not more than one (1) license for each seven hundred fifty (750) population of the county, after excluding the population of incorporated cities and incorporated towns in such county *and the population residing within a distance of five (5) miles from the corporate limits thereof.*

(2) From and after February 1, 1949, any retail license issued pursuant to this act not actually used in a going establishment for a period of ninety (90) days, shall automatically lapse. Upon determining the fact of nonuser for such period the board shall cancel such license of record and no portion of the fee paid therefor shall be refundable. The provisions of this subsection shall not apply to the license of any licensee whose premises are operated on a seasonal basis in connection with a bona fide dude ranch, park hotel, tourist facility or like business, provided such licensee has secured written authority from the board to close his licensed premises for a specified period of greater than ninety (90) days' duration, and providing further that should the liquor control board determine that such lapse was reasonably beyond the control of the licensee, then the lapse provision set out above shall not apply.

(3) Resort licenses. It is the intent and purpose of this act to encourage the growth of quality recreational resort facilities in undeveloped areas of the state and to provide for the orderly growth of existing recreational sites by the establishment of resort areas within which retail liquor licenses may be issued by the board under the terms and as more particularly prescribed below. In addition to the licenses as otherwise set forth in this act, the board may issue resort retail liquor licenses in a resort area.

For the purposes of this section, a resort area is defined as a recreational facility meeting the qualifications determined by the board as hereinafter provided.

The board shall determine that the area for which licenses are to be issued is a resort area, such determination to be made under and pursuant to rules and regulations to be promulgated within one hundred eighty (180) days after the passage and approval of this act. In addition to the

other requirements of this act, a resort area for the purposes of qualification for the issuance of resort retail liquor license must have a current actual valuation of resort or recreational facilities, including land and improvements thereon, of not less than five hundred thousand dollars ($500,000), at least half of which valuation must be for a structure or structures within the resort area, and must be under the sole ownership or control of one person or entity at the time of the filing of the resort area plat referred to in the next paragraph. The word control shall mean lands held under lease, option, or permit. Before first adopting such rules and regulations in regard to resort liquor licenses, the board shall publish a notice of the hearing to be held on said rules and regulations in a regularly published newspaper in the cities of Billings, Bozeman, Butte, Great Falls, Helena, Miles City, Kalispell and Missoula, Montana, said publication to be published in said newspapers at least once a week for four consecutive weeks, the last of said publications being at least ten (10) but not more than thirty (30) days prior to the date set for said hearing, which shall be held in Helena, Montana, at a time and place designated by the board.

The resort area must be determined by the resort developer or landowner by a plat setting forth the resort boundaries designating the ownership of the lands within the resort area which plat must be verified by the resort developer or landowner, and filed with the board prior to the filing of any applications by individuals for licenses within the resort area. Such plat must show the location and general design of the buildings, and other improvements to be built in said area in which resort retail liquor licenses are to, or may, be located. A master plan for the development of the said area may be filed by the resort developer in satisfaction of this section.

Upon such filing the board shall forthwith schedule a public hearing to be held in Helena, Montana, to determine whether the facility proposed by the resort developer or landowner is a resort area within the meaning of the rules and regulations of the board. At least thirty (30) days prior to the date of the hearing, the board shall publish notice thereof with a description of the location of the proposed resort area in a newspaper published in the county or counties in which the resort is located, once a week for four (4) consecutive weeks. Each resort developer or landowner shall, at the time of filing his application, pay to the board an amount sufficient to cover the costs of said publication. Persons may present statements to the board at the hearing in person or in writing in opposition or support of the plat. Within thirty (30) days of the hearing the board shall accept or reject the plat. If rejected the board must state its reasons and set forth the conditions, if any, under which the plat will be accepted and the decision of the board may be reviewed pursuant to the review procedure set forth in section 4-425 herein.

Once filed with the board, the boundaries of a resort may not be changed without full hearing as above provided and the prior approval of the board, which approval shall be according to public convenience and necessity.

When the board has accepted a plat and a given resort area has been determined, applications may then be filed with the board by persons for

the issuance of resort retail liquor licenses within the said resort area. Each applicant must submit plans showing the location, appearance and floor plan of the premises for which application for a license is made.

If an applicant otherwise qualifies for a resort license but the premises to be licensed are still in construction, or are otherwise incomplete at the time of such application, the board shall issue a letter stating that the license will be issued at such time as the qualifications for a licensed premises have been met, setting forth such time limitations and requirements as the board may establish.

In addition to the restrictions on sale or transfer of a license as provided in section 4-410 herein, no resort retail liquor license may be sold or transferred for operation at a location outside of the boundaries of the resort area.

The annual fee for resort retail liquor licenses within a given resort area shall be two thousand dollars ($2,000) for each such license.

A resort retail liquor license shall not be subject to the quota limitations set forth in section 4-403 (1) (a) above and a resort retail liquor license shall be issued by the board on the basis that the board has determined that such license is justified by public convenience and necessity, following a hearing as provided in section 4-407.1.

If any clause, sentence, paragraph, section, or any part of this act shall be declared and adjudged to be invalid and/or unconstitutional, such invalidity or unconstitutionality shall not affect, impair, invalidate or nullify the remainder of this act."

Section 2. There is a new section to be numbered 4-403.1, R.C.M. 1947, which reads as follows:

4-403.1. **Department of revenue determination required.** Any original license issued pursuant to this act, subsequent to April 30, 1974, shall be issued only upon the department of revenue having first determined, upon a hearing held pursuant to the Administrative Procedure Act, that the issuance of such license is justified by public convenience and necessity.

Section 3. This act shall be effective upon passage and approval.

Approved March 28, 1974

CHAPTER NO. 341

AN ACT TO AMEND SECTIONS 70-704 AND 70-707, R.C.M. 1947, OF THE CONSUMER COUNSEL ACT, TO PERMIT MORE FREQUENT MEETINGS OF THE LEGISLATIVE CONSUMER COMMITTEE; TO GRANT TO THE CONSUMER COUNSEL SOME DISCRETION IN THE HEARINGS HE MUST ATTEND; TO SPECIFY INVESTIGATORY AND DISCOVERY POWERS OF THE CONSUMER COUNSEL; TO AUTHORIZE THE CONSUMER COUNSEL TO PARTICIPATE IN COURT PROCEEDINGS INVOLVING THE PUBLIC SERVICE COMMISSION AND UTILITY AND TRANSPORTATION CONSUMERS PENDING BEFORE STATE AND FEDERAL COURTS IN ADDITION TO INSTITUTING SUCH PROCEEDINGS; AND TO AUTHORIZE THE CONSUMER COUNSEL TO PARTICIPATE IN APPROPRIATE PROCEEDINGS CONDUCTED BY FEDERAL ADMINISTRATIVE AGENCIES.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 70-704, R.C.M. 1947, is amended to read as follows:

"70-704. **Meetings of committee — expenses of members reimbursed.** The committee shall meet *at least* once each quarter to advise and consult with the consumer counsel. Committee members shall be reimbursed from the appropriation to the office of the consumer counsel for their actual and necessary expenses incurred and an additional sum equal to a legislator's pay while attending such meetings."

Section 2. Section 70-707, R.C.M. 1947, is amended to read as follows:

"70-707. **Powers and duties of consumer counsel—annual report.** The consumer counsel:

(1) *may* appear at public hearings conducted by the commission, as the representative of the consuming public, on all matters which come before the commission which in any way affect the consuming public, and shall have all the rights and powers of any party in interest appearing before the commission regarding examination and cross-examination of witnesses, presentation of evidence and other matters;

(2) may institute proceedings before the commission against regulated companies;

(3) has all the investigatory powers necessary to perform his duties as provided herein *and all discovery powers sanctioned by the Montana Rules of Civil Procedure and the* Montana Administrative Procedure Act;

(4) may examine in any commission proceedings under oath any officer, director, manager, or employee of any regulated company and inspect the business and corporate records of any regulated company in accordance with the law to aid in the exercise of his duties;

(5) may institute, *intervene in, or otherwise participate in* appropriate *proceedings* in the state and federal courts *and administrative agencies* in the name of *and on behalf of the utility and transportation* consuming public of the state of Montana *or substantial elements thereof including* review of decisions rendered by, *or failure to act by* the commission.

(6) shall meet and confer with members or representatives of the consuming public at such times and places as he determines appropriate;

(7) shall prepare and submit a yearly report and such other interim reports he determines advisable concerning his activities during the year and may recommend appropriate remedial legislation to the committee;